

Entered on Docket

July 13, 2010

GLORIA L. FRANKLIN, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



1 PATRICK L. FORTE, #80050
2 CORRINE BIELEJESKI, #244599
3 LAW OFFICES OF PATRICK L. FORTE
One Kaiser Plaza, #480
3 Oakland, CA 94612
Telephone: (510) 465-3328
4 Facsimile: (510) 763-8354
5 Attorneys for Debtors

Signed: July 13, 2010

A handwritten signature in dark ink that reads "Leslie Tchaikovsky".

LESLIE TCHAIKOVSKY
U.S. Bankruptcy Judge

8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 In re: Case No. 10-44186 LJT

11 CHRISTOPHER LEE SCOTT and Chapter 13
12 VENUS CALIP SCOTT,
13 Debtors.

ORDER VALUING LIENS OF WORKMAN
TRUST

/

14
15 On June 15, 2010, Christopher and Venus Scott ("Debtors") served
16 a motion to value the liens of the Workman Trust ("Lienholder")
17 against the property commonly known 1857 Pacheco Blvd., Martinez, CA
18 94553, which liens were recorded in Contra Costa County on or about
19 December 4, 2007 as document numbers 032977401 and 032977501 and on or
20 about March 18, 2009 as document number 005671201 ("the Liens").

21 The court finds that notice of the motion upon Lienholder was
22 proper. Lienholder having failed to file timely opposition to
23 Debtors' motion, the court hereby orders as follows:

24 (1) For purposes of Debtors' chapter 13 plan only, the Liens are
25 valued at zero, Lienholder does not have a secured claim, and the

1 Liens may not be enforced, pursuant to 11 U.S.C. §§ 506, 1322 (b)(2)
2 and 1327.

3 (2) This order shall become part of Debtors' confirmed chapter 13
4 plan.

5 (3) Upon entry of a discharge in Debtors' chapter 13 case, the
6 Liens shall be voided for all purposes, and upon application by
7 Debtors, the court will enter an appropriate form of judgment voiding
8 the Liens.

9 (4) If Debtors' chapter 13 case is dismissed or converted to one
10 under another chapter before Debtors obtain a discharge, this order
11 shall cease to be effective and the Liens shall be retained to the
12 extent recognized by applicable nonbankruptcy law, and upon
13 application by the Lienholder, the court will enter an appropriate
14 form of order restoring the Liens.

15 (5) Except as provided by separate, subsequent order of this
16 court, the Liens may not be enforced so long as this order remains in
17 effect.

18 | *** END OF ORDER ***

COURT SERVICE LIST

Law Offices of Patrick L. Forte
One Kaiser Plaza, Suite 480
Oakland, CA 94612

Christopher and Venus Scott
1857 Pacheco Blvd., Unit B
Martinez, CA 94553

Attn: Officer
Wells Fargo Bank, NA
101 N. Phillips Ave.
Sioux Falls, SD 57104

Attn: Trustee
Workman Trust
c/o Suzanne Workman
24433 Palomares Rd.
Castro Valley, CA 94546

REQUEST FOR SPECIAL NOTICE

Wells Fargo Bank, NA
c/o Barrett Daffin Frappier
Treder & Weiss LLP
20955 Pathfinder Road, Suite 300
Diamond Bar, CA 91765